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8 **BEFORE THE**  
9 **BOARD OF REGISTERED NURSING**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2013 - 261

13 **YEVGENIA A. KIKSMAN**  
1418 4th Street  
Sacramento, CA 95814

**A C C U S A T I O N**

14 **Registered Nurse License No. 499378**

15 Respondent.

16  
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN ("Complainant") brings this Accusation solely in her  
20 official capacity as the Executive Officer of the Board of Registered Nursing ("Board"),  
21 Department of Consumer Affairs.

22 2. On or about March 31, 1994, the Board issued Registered Nurse License Number  
23 499378 to Yevgenia A. Kiksman ("Respondent"). Respondent's registered nurse license was in  
24 full force and effect at all times relevant to charges brought and will expire on December 31,  
25 2013, unless renewed.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 **(Unprofessional Conduct)**

3 8. At all times relevant to the charges brought herein, Respondent was employed as a  
4 registered nurse at Mercy General Hospital located in Sacramento, California.

5 9. On or about February 23, 2009, at 0910 hours, a 24 year old female patient was  
6 admitted to the hospital's Labor and Delivery Unit, dilated 4 to 5 cm. The baby had a reassuring  
7 fetal heart rate pattern at that time. At 0939 hours, a labor epidural was placed for control of the  
8 patient's pain. The patient was progressing in labor at a normal pace for her second baby. At  
9 1330 hours, the patient's doctor performed a vaginal exam and noted that the patient was dilated  
10 to 6 cm. The baby's fetal heart rate was noted to be 125. At 1440 hours, another vaginal exam  
11 was performed and the patient was noted to be completely dilated, plus 2 station, with the urge to  
12 push. A call was made to the doctor for delivery, and Respondent was called to the patient's room  
13 to assist until the doctor arrived. At 1442 hours, Respondent arrived to the patient's room. The  
14 patient was pushing with contractions. The doctor was paged, but was busy with another patient  
15 who was undergoing a cesarean section. At 1446 hours, the baby's heart rate had dropped to 55 -  
16 65. A call was made for additional support. The doctor was paged in house, but did not respond.  
17 A nurse practitioner arrived to the room. At approximately 1449 hours, Respondent performed an  
18 episiotomy on the patient, with delivery of a viable baby boy with apgars of 7 and 9. The doctor  
19 arrived to the room at 1451 hours.

20 10. Respondent is subject to disciplinary action pursuant to Code section 2761,  
21 subdivision (a), in that on or about February 23, 2009, Respondent committed an act constituting  
22 unprofessional conduct, as follows: Respondent exceeded her scope of practice as a registered  
23 nurse by performing an episiotomy on the patient to expedite the delivery of the baby.

24 **SECOND CAUSE FOR DISCIPLINE**

25 **(Exceeding Scope of Practice)**

26 11. Complainant incorporates by reference as though fully set forth herein the allegations  
27 contained in paragraphs 8 and 9 above.

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12. Respondent is subject to disciplinary action pursuant to Code section 2761, subdivision (d), in that on or about February 23, 2009, Respondent violated or attempted to violate, directly or indirectly, or assisted in or abetted the violation of, or conspired to violate section 2726 of that Code, as set forth in paragraph 10 above.

**PRAYER**


WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 499378, issued to Yevgenia A. Kiksmann;

2. Ordering Yevgenia A. Kiksmann to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3;

3. Taking such other and further action as deemed necessary and proper.

DATED: OCTOBER 10, 2012

  
for LOUISE R. BAILEY, M.ED., RN  
Executive Officer  
Board of Registered Nursing  
Department of Consumer Affairs  
State of California  
Complainant

SA2012104191